

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 86-8

AN ORDER REQUIRING

UNION OIL COMPANY OF CALIFORNIA, SAN FRANCISCO REFINERY, RODEO, CONTRA COSTA COUNTY, TO CEASE AND DESIST FROM VIOLATING WASTE DISCHARGE REQUIREMENTS, BOARD ORDER NO. 85-29.

The California Regional Water Quality Control Board, San Francisco Bay Region (hereafter called the Board) finds that:

1. On February 20, 1985 the Board adopted Order No. 85-29, a National Pollutant Discharge Elimination System (NPDES) Permit, prescribing waste discharge requirements for Union Oil Company of California (hereafter called the discharger).
2. Order No. 85-29, provides in part as follows:

"C. Prohibitions

1. The discharge of Waste 002 at any place where it does not receive a minimum initial dilution of at least 10:1 is prohibited after July 1, 1987 unless the Board has granted the discharger an exception.

D. Provisions

12. The discharger shall comply with all Specifications and Provisions of this Order immediately upon adoption, except as noted in Prohibition C.1. The discharger shall comply with Prohibition C.1 in accordance with the following time schedule:

<u>Task</u>	<u>Deadline</u>
Submit a progress report on compliance with Prohibition C.1 and exception request.	June 15, 1985
Submit plans and interim time schedule for compliance with Prohibition C.1 and, if appropriate, a request for consideration of an exception to the prohibition.	October 1, 1985
Achieve full compliance with Prohibition C.1:	July 1, 1987"

3. The discharger submitted a letter dated September 26, 1985 which included an interim time schedule and plans to comply with the prohibition by July 1, 1987.

4. Discussions with the State Lands Commission (the Lead Agency responsible for completion of the Environmental Impact Report) and the Department of Fish and Game indicate that studies necessary to assure an adequate EIR will require substantially more time than Union allotted in their proposed interim time schedule.
5. As a result of the length of time necessary for completion of the EIR, Union threatens to violate the Prohibition and Provision listed in No. 2 above in that they will not be able to comply with the deadline of July 1, 1987.
6. Section 301 of the Clean Water Act provides that industrial dischargers must meet state standards more stringent than federal guidelines not later than July 1, 1977. The Act provides other deadlines for certain industrial pollutants and provides an outside compliance deadline of July 1, 1987.
7. This action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.
8. The Board has notified the discharger and interested persons and agencies of its intent to prescribe revised waste discharge requirements for the discharger.
9. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Union Oil Company of California, San Francisco Refinery cease and desist from violating waste discharge requirements contained in Order No. 85-29. Compliance shall be achieved in accordance with the following specifications:

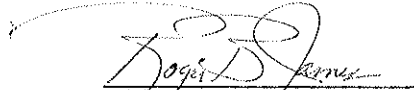
- A. The discharger shall comply with Prohibition C.1 Of Order No. 85-29 in accordance with the following schedule:

<u>Task</u>	<u>Deadline</u>
1. Complete Final EIR:	January 1, 1987
2. Complete Design:	July 1, 1987
3. Complete Construction:	July 1, 1988

- B. If the Executive Officer finds that the discharger has failed to comply with provisions of this Order, he is authorized after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

- C. If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 19, 1986.



ROGER B. JAMES
Executive Officer